

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

ROY C. SPEGELE, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

USAA LIFE INSURANCE COMPANY,

Defendant.

Case No. 5:17-cv-00967-OLG

**PLAINTIFF’S RESPONSE TO DEFENDANT USAA LIFE INSURANCE COMPANY’S
MOTION FOR HEARING ON SUMMARY JUDGMENT, CLASS CERTIFICATION, AND
DAUBERT MOTIONS**

Plaintiff respectfully submits this response to Defendant USAA’s Motion for Hearing (Dkt. No. 69). The Parties are currently briefing Plaintiff’s Motion for Class Certification, Defendant’s Motion to Exclude Expert Declaration of Scott J. Witt, and Defendant’s Motion for Summary Judgment.

Plaintiff requested a hearing on his Motion for Class Certification (Dkt. 54) and continues to believe that oral argument would be beneficial. Plaintiff takes no position on whether oral argument would be helpful with respect to the Motion to Exclude and the Motion for Summary Judgment, and understands, pursuant to the Court’s Fact Sheet, that the Court will set a hearing if it deems one is appropriate.

Dated: March 9, 2020

Respectfully submitted,

By: /s/ Daniel C. Girard

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Attorneys for Plaintiff Roy C. Spegele

CERTIFICATE OF SERVICE

I hereby certify that on March 9, 2020, a true and correct copy of Plaintiff's Response to Defendant USAA Life Insurance Company's Motion for Hearing on Summary Judgment, Class Certification, and Daubert Motions, was sent via CM/ECF to all counsel of record.

/s/ Daniel C Girard
Daniel C. Girard